

Court of Appeals, State of Michigan

ORDER

People of MI v Derrick Lee Smith

Docket No. 353503

LC No. 19-000756-01-FC

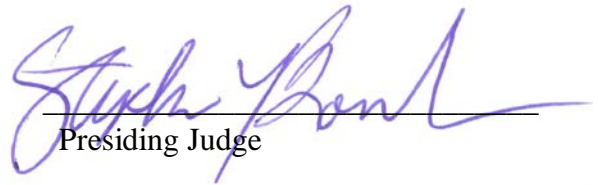
Stephen L. Borrello
Presiding Judge

Mark T. Boonstra

Michael F. Gadola
Judges

The Court orders that, on further review per the October 27, 2020 order of the Michigan Supreme Court, the delayed application for leave to appeal is REINSTATED as to the November 13, 2019 orders denying defendant's postjudgment motions because the delayed application was filed within the time period required by MCR 7.205(G)(3) as to those orders. The delayed application for leave to appeal remains dismissed as to the circuit court's May 2, 2019 judgment of sentence because appellant failed to file the application within the time period required by MCR 7.205(G)(3) as to the judgment of sentence.

Plaintiff may timely file an answer to the delayed application within 21 days after the date of this order. See MCR 7.205(C). If plaintiff files such an answer, defendant may file a reply brief within 21 days after service of the answer. MCR 7.205(D); MCR 7.12(G). Thereafter, the delayed application will be submitted for a decision under MCR 7.205(E).


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

November 30, 2020
Date


Chief Clerk